

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No.: 19-10080-NMG
)	
GAMAL ABDELAZIZ <i>et al.</i> ,)	
)	
Defendants)	

**GOVERNMENT’S RESPONSE TO DEFENDANTS’ MOTION
TO EXTEND TIME TO FILE POST-TRIAL MOTIONS [Dkt. 2373]**

The government respectfully submits this response to the defendants’ motion to extend their 14-day deadline to file post-trial motions. *See* Dkt. 2373. The government does not oppose the defendants’ request for an extension of time until November 5, 2021 – 28 days after the jury’s verdict – to file post-trial motions pursuant to Fed. R. Crim. P. 29, 33.¹ However, the government respectfully requests a December 3, 2021 deadline to file its responses, which is 28 days after the proposed deadline for defendants’ motions. The November 26, 2021 deadline proposed by the defendants for the government’s responses is only 21 days after the defendants’ proposed deadline for their motions and also falls on the day after Thanksgiving.

CONCLUSION

Accordingly, the government respectfully requests that the Court set a November 5, 2021 deadline for the defendants’ post-trial motions, and a December 3, 2021 deadline for the government’s responses to those motions. The government submits that a deadline for defendants’

¹ The defendants’ motion incorrectly asserts that the Court “reserved” on the Rule 29 motions. The Court denied those motions without prejudice to their renewal. *See* 9/30/2021 Trial Tr. at 5, 24 (“[T]he motion under Rule 29 of the criminal rules is denied without prejudice.”). *See also United States v. Moran*, 312 F.3d 480, 487–88 (1st Cir. 2002) (holding that where a court denies a Rule 29 motion without prejudice at the close of the government’s case-in-chief and defendant subsequently renews Rule 29 motion, “our review should encompass the record of the entire trial rather than being confined only to the direct evidence presented by the government”).

reply brief, if any, is unnecessary until the defendants review the government's responses and seek leave of Court pursuant to Local Rule 7.1(b)(3).

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By: /s/ Ian J. Stearns
KRISTEN A. KEARNEY
LESLIE A. WRIGHT
STEPHEN E. FRANK
IAN J. STEARNS
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: October 12, 2021

/s/ Ian J. Stearns
IAN J. STEARNS